

EU Exit Working Group Meeting – 19 June 2017

Transcript of Agenda Item 4: European Voices: EU Londoners Speak

Len Duvall AM (Chair): My name is Len Duvall. I am a London Assembly Member for Greenwich and Lewisham, but for this afternoon's meeting I am chairing this EU (European Union) Working Group, and I am very grateful for the people that are present here today. I will go on to explain in a bit more detail our various roles.

Of course, I am advised by officers on each side of me, but here is a group of London Assembly Members. Some are constituency and some are list Members. I think it is fair to say and we should say it, so we have Labour representatives there, a Green Member and a Liberal Democrat Member. I am a Labour representative. We have our expert guests, and we have our other guests in the main part of the hall who we are going to interact with. Sorry for the people in the public gallery; we cannot interact with you, but we hope you follow our debate and our conversation in what is a very important issue for London and Londoners, to be honest. I say that in the sense that we are still all EU citizens, and we should make that point very clearly. I just happen to be British EU, rather than from another country. Can I welcome you again?

The main item of business today in our meeting is where we will hear from expert speakers, the invited guests, on experiences of European citizens living and working in London. Can I welcome you to what we have called this part of the meeting, European Voices, EU Londoners Speak? Can I welcome some of our guests in terms of that? Samia Badani, Head of Campaigns and Stakeholder Engagement, New Europeans organisation; Dr Charlotte O'Brien, Senior Lecturer of York Law School; Christiane Link, Chair of Disire; Sunder Katwala, Director of British Future, as well as Carolyn Downs, Chief Executive for Brent Council.

Can I also welcome our invited guests in the main part of the Chamber and say thank you to the New Europeans organisation, which has been working with us in terms of today's event? You have done a fantastic job in reaching out to some of the participants here today, and we are very grateful. As I said earlier, the main part of this meeting is to hear about the experiences from EU citizens living and working in London, and particularly their experiences following the referendum vote.

Today's meeting is broken down into four sections: section 1, access, advice and support; section 2, hidden voices; section 3, community cohesion; and section 4, the role of local authorities and the Mayor. For each of these things we will hear from probably one or two of our expert speakers, and we are trying to limit our comments because we want to make sure that we leave enough time for people in the main part of the chamber.

I will open the session to Assembly Members following the experts' views, and then we are going to the open-microphone session, and then we will probably come back to Assembly Members who will probably want to ask questions of people.

Can I remind members of the public that if you wish to follow this debate on Twitter, it is @LondonAssembly? If you want to take part in the meeting and discussion using the hashtag #EuropeanVoices, then you are able to do so. On the seats in the main part of the chamber you will find a London Assembly comment card for you to add anything to today's discussion, but you will also find an evaluation form for the New Europeans, and you are welcome to fill these in. Leave them on the chair at the end of the meeting. They will be collected.

Let us move to our first sections. To just remind ourselves, as we remind our Assembly Members - albeit my contribution was not short enough at that earlier stage - we need to keep our contributions short and to the point so that we can hear as many people as possible. Guests, remember that the Committee and expert speakers cannot ask specific questions on the individual cases. We cannot do that, but certainly individual cases do highlight some of the problems that people face. Clearly, we need to share those experiences, but also we need to focus on what is needed in going forward. That would help us in terms of giving and providing information to the Mayor of London, who meets with Government officials, and any other organisations that we come into contact with that we would seek to influence on this matter.

In terms of the first section, I am going to go to Samia [Badani]. Samia, just to set the scene of where we are, can you provide an overview of the United Kingdom's (UK) and the EU's proposals for citizens' rights and outline the main differences between the two positions?

Samia Badani (Head of Campaigns and Stakeholder Engagement, New Europeans): Thank you for having us. The EU proposal is based on the commission's working paper, *Essential Principles in Citizens' Rights*, and there was a negotiating directive back on 22 May. In a nutshell, what they propose to do is to guarantee almost all rights of EU nationals here in the UK, as well as UK nationals in the EU, namely that they would continue to exercise their rights and enjoy all the rights associated with their EU citizenship as if almost Brexit did not happen.

The UK, on the other hand, has a different position on that. The UK seems to not have accepted the principle of acquired rights, and is somehow making a distinction between certain rights which in our view are indivisible. It seems that the UK focuses more on our rights to stay post-Brexit, which we all knew we had anyway. The UK is proposing that EU nationals post-Brexit - when I say EU nationals, I will tell you more about this cut-off date which is a bit of a controversy - will be allowed to apply for settled status. We all thought, "OK, maybe that is a new status". It is not such a new status. It looks like EU nationals, particularly Londoners here, will be entitled to apply for indefinite leave to remain, which is currently the type of permanent residency that third-country nationals can apply for after five continuous years here in the UK.

This is concerning for many because currently EU nationals have rights under EU legislation to apply for permanent residency, and it looks like the UK is proposing that status and additional requirements which are yet to be seen. It is also concerning that the UK seems to say that the only people who are covered, who would be covered, are those who are in the UK after cut-off dates. Now, the cut-off date can be any time between 29 March of this year up to Brexit day on 29 March 2019. It also covers only family members of EU nationals who are in the UK at the dates, whatever date it is beyond cut-off dates. On the other hand, the EU proposes that the agreement would benefit all EU nationals and their family members. The EU rejects this notion of a cut-off date because effectively it means curtailing rights of EU nationals before Brexit day, and also the EU is a bit more ambitious and is prepared to guarantee the rights of future family members, and the UK does not accept that position.

Now, we are a bit concerned for the EU nationals who would fall after that cut-off date because this group of EU nationals would have to apply for temporary immigration status. We can expect that would be some form of limited leave to remain. Any EU national who is in the UK after a cut-off date would have to apply for a brand new immigration status, the post-Brexit immigration status. Effectively, what the UK is telling us is, "We are not offering you anything new. We are offering you the possibility to apply to a status that is already in our UK immigration law". There are a lot of concerns among yourselves, I am sure, because our identity really is the rights that are associated with our citizenship pride. It means that after Brexit, EU nationals would lose

completely their identity. They will become third-country nationals. The UK says, "EU nationals would be entitled to the same rights as UK nationals". That is not strictly correct because UK nationals have the right to vote in the general election. The question on the right to stand and vote in local and regional elections is still up in the air. We are not too sure whether this is going to be the case. What really the UK is offering is for certain EU nationals, depending on when they are in the UK, and their family members, again depending on when the family members are in the UK, to be treated the same way as third-country nationals with indefinite leave to remain, who in turn would be entitled to the same rights as UK citizens. That is the slight distinction that we are making so that you can understand or you can evaluate whether the UK's offer is a fair or generous offer.

We also identify that by March 2019 about half a million EU nationals will not have completed five years. We have concerns about this temporary immigration status yet to be determined. Even if you have acquired permanent residency and you have your certificate showing that, you will have to apply for this new settled status. Effectively, you lose your status on Brexit day, and then there is a two-year grace period in which you are guaranteed not to be removed - I am not too sure about being detained in a detention centre - to apply for this settlement status.

In terms of practicalities, we are still waiting to hear more from the Department for Exiting the EU (DExEU) and the Home Office. If you take somebody who has acquired permanent residency, currently you do not have to have any registration documents to show that. On the day of Brexit, provided that there is no agreement on the cut-off date and we are talking about 29 March 2019, so you are an EU national, you have been here let us say ten years, you have never registered with the Home Office, you are walking in the streets of London, and you are stopped and somebody asks you to provide evidence of your immigration status, it is not too clear how that would work within that two-year period unless you are expected to have already registered somewhere. We are very confused in terms of understanding how this would work in practice and the impact this would have on EU nationals.

Of course, there is the issue of enforcement. The UK says that EU nationals would have the right to settle any litigation through UK courts, while the EU wants the jurisdiction of the European Court of Justice (ECJ). The concern we have as well is that currently we understand that about 12 domestic legislations in the UK, on the face of it, are incompatible with EU legislations. I do not think this would be resolved by Brexit day, so what happens then if the UK says that a qualifying person who could benefit from this agreement is not the same person that the EU thinks should be? What we have are two different definitions or interpretations of who is a lawful resident. You can imagine, after Brexit, the sorts of difficulties that we are going to have.

That is where we are with those offers. You have the EU saying, "Look, we want to guarantee all your rights", and the UK does not accept that acquired rights should be maintained, but that EU nationals would have a right to stay.

I want to have just a quick word on the 1.6 million UK citizens in the EU, our friends, who also we have as Members. Now we are in this principle of reciprocity, so some people are for, some people are against, but it cannot be a like-for-like system. We are now in the situation where either the EU reduces down or the UK ups its offer. That is a concern that now needs to be addressed, and we have made representation to both the UK Government and the EU decision-makers. Bottom line: those UK citizens in the EU are union citizens, the same way you are union citizens, and it is the EU's duty to safeguard the interests of these citizens. We are asking them to look at the impact this is having. Of course, what we have done in the last year is speak to about six examples, case studies from about 4,000 nationals, whether they are here or in the EU, and they are very concerned. The anxiety they are in, some of our academics have said that it is potentially a violation of

the right to private and family life. The uncertainty. Many people, organisations and politicians have always argued that the UK should give unilateral guarantees of all those rights. We are in a situation where we have reciprocity. It has been a year, EU nationals are really anxious. From what we are hearing from the second round of negotiations, there is cause to be more anxious, so it is about now what do we do? How do we move forward? How do we make sure those EU Londoners can thrive and can continue to live their lives?

Len Duvall AM (Chair): Thank you very much for that setting the scene. I want to just bring in Charlotte O'Brien. Give us a legal view - but make it easy for us to access - about the challenges that EU citizens and their families in London are likely to encounter over this period of time of what-ifs. Let us talk generally. This session is about access, advice and support. Is the right advice and support available there?

Dr Charlotte O'Brien (Senior Lecturer, York Law): Yes. Really good questions. To try to address those in five minutes is the academic equivalent of a Herculean task, but I shall plough on and rattle through what I think are some of the key challenges facing EU nationals.

Obviously, there are different challenges at different stages. We have the challenges that EU nationals are facing right now and will be over the next 20 months. I keep on wanting to say two years but I forget the four months have already elapsed of our Brexit process. Then, post-exit, there are different challenges again.

The first, most tangible challenge is discrimination. There is a combination here of direct and overt and in some cases malicious discrimination that EU nationals are reporting, and we have seen the reports of hate crimes and so on. Then there is the slightly less intentional - or perhaps, more accurately, less malicious - discrimination that stems out of confusion, and that is likely to be a continuing problem. I did some scoping research recently to test the waters as to whether the referendum vote was having any effect on EU nationals' access to services, for instance, and found that they were suffering different treatment. They were having more difficulties than before the referendum in getting housing in the private rented sector, for instance, because landlords are more wary of renting to them because they do not know what the future holds. Of course, EU nationals are disproportionately concentrated in the private rented sector, in spite of what we might have been led to believe.

In terms of banking, EU nationals are again reporting difficulties that they did not have before the referendum. Opening bank accounts, getting mortgages - because, again, mortgages are based on your future entitlement - and employment. Employers are increasingly wary in the recruitment processes of taking on EU nationals, but also employers who have existing EU national employees have been asking for documentation and all sorts of extra evidence of rights to be here of their employees that they have no basis for asking for at the moment. The referendum has not created that need, and yet there is a lot of confusion over what the status of these people is.

In terms of the next 20 months and beyond, the biggest problem that we have is that we do not know what the problems are going to be. There is such a lack of clarity that it is very difficult to get a handle on where help is going to be needed. We have no clarity. We have no guarantees, and the Withdrawal Bill and the explanatory notes have made quite clear how few guarantees we have because it suggests that if there is no deal, the EU nationals' rights will potentially be unilaterally removed by the UK Government under secondary legislation.

Under the UK proposals, were they to go ahead, as we have heard, we have a series of new statuses that have been created, quasi-new, and again, with each new status, although there has been a lot of attention in the media on settled status, there are actually five statuses within that document, including the temporary leave to

remain. With each new status, there will be concomitant new conditions and new entitlements that we do not know about, and there will be a great difficulty for decision-makers making sense of them, and for EU nationals knowing where they stand. The temporary leave to remain is particularly problematic in terms of those people who might fall through the gaps, who for some reason may be deemed not entitled to welfare support, for instance, and they will find it very difficult to accrue the residence required to reach the settled status state.

The proposal suggests that all EU nationals will have to be processed in some way, even those who have permanent residence, even those who have been here since year dot. If they are not UK citizens, they will have to go through some sort of processing procedure to be assessed. There will be no automatic right to reside, according to the proposals. The documentation of that right to the assessment will be constitutive of the right to stay.

Herein lies what I consider to be one of the biggest problems: this massive administrative puzzle that is being posed. People have suggested there is a potential for administrative chaos. I think there is a potential for administrative cataclysm. It is just pure congestion of the Home Office or whoever it is attempting to process 3 million people's statuses and adducing all the evidence that may be required for that.

My research recently has shown, when I looked at the status of EU nationals and the problems that they were having during the 2014 - 2015 reforms to EU national entitlement, unsurprisingly, that the risk of administrative injustice, the risk of having things go wrong, is much greater during a period of legal change, of legal transition. We are facing unprecedented legal change, legal transition, the mother of all legal transitions. Potentially, there are many opportunities for things to go wrong in terms of there being a lot of guidance that has to be produced for every single tiny change in provision, and decision-makers not knowing what they are doing - they are not experts in the area - trying to make sense of all this guidance. Some of the guidance likely to come up may be inaccurate if it is produced far too quickly. There may be a lack of capacity to deal with cases appropriately and comprehensively. The principles of good administration are at stake here and at risk, the risks that things are dealt with efficiently and accurately and fairly.

This is in the context of an advice crisis. For the last couple of years, we have had the Law Commission report on an advice deficit, and we have had a Warwick Law School report on an advice desert. That is across the country generally for everybody, and it is exacerbated in the context of EU nationals, where the need for very specialist knowledge is particularly acute. There is a dearth of expertise, certainly, in the free legal advice sector, and this is in the context, of course, of there being very rapidly diminishing legal aid opportunities.

My three takeaway points are, first of all, we need to find ways to support advice organisations in monitoring experiences of discrimination that are reported to them from now and hereon in. Certainly, for the next couple of years, they are unlawful and ought to be challenged, and there ought to be an information campaign on the equal treatment rights of EU nationals.

Secondly, administration. We need evidence that the Government is taking the principles of good administration seriously and thinks seriously about what it entails trying to reprocess and reassess 3 million people, and maybe reconsidering that and thinking about automatic rights for some people, or at least a vast commitment to an appropriate assessment process that has procedural probity.

The third point is making sure that resources are directed towards those advice organisations that are going to be able to support and advise the vast numbers of people who are going to be feeling at a loss and not knowing what to do and not knowing what their rights are, and not able to interpret the law, whatever the law

turns out to be. There will be a great deal of confusion during this period of change. Whatever EU nationals' rights are, those rights will be rendered meaningless if they are not administered properly and they are not enforceable. Thank you.

Len Duvall AM (Chair): Thank you very much for that. I am going to take some questions from Assembly Members, starting with Andrew Dismore.

Andrew Dismore AM: It is just picking up the point that Charlotte [O'Brien] has just made. I remember when I was a Member of Parliament (MP) not so long ago, more than a third of my casework was immigration and asylum claims at that time based on the present law, and I do not think that has changed very much, and we certainly see huge delays administering the existing system. I cannot see the Government in any way, shape or form being able to tool up to deal with 1 million Londoners or 3 million people altogether, no matter how simple the system is. We already have years of delay in the existing system for people from the Commonwealth or wherever applying for indefinite leave to remain or, indeed, EU nationals applying for British citizenship now. I cannot see any prospect, realistically, of the Government being able to do that.

The other point was the point that you were making about the European Court of Justice [ECJ] jurisdiction. I suppose one option, assuming we do not opt out of the charter, is the European Court of Human Rights (ECHR) effectively becoming the fall-back on the charter on issues like family life and so forth, but the problem there is, of course, they are not tooled up for mass claims in any way, shape or form with the delays of many years in processing cases. That could be an answer to the jurisdictional issue as a compromise, but they would then have to tool that up, and I do not seem them being able to do that.

I suppose my main concern is if we do have this new status, whatever it happens to be, the Government is not going to be in a cataclysm, it is just going to be a complete meltdown, which is virtually where we are already with the existing immigration demand, which will not go away. We need to remember that only half the migrants in the UK are EU nationals. The other half are from all over the world and they all have to have their status sorted out as well. There does not seem to be any desire to remove or reduce immigration from the rest of the world.

Jennette Arnold OBE AM: . Can I just go back to Samia [Badani]? Thank you for that exposition, and it is great that we are live and that the information we will gather here today will be there as a resource, because it is so needed, the depth of information you shared with us. I just wanted to know whether your work had covered reciprocity, because you talked about our Government's position, which seems so outlandish and so crude and so outwith understanding. How could this be, given that we have Brits abroad, about whom surely there will have to be negotiations about their rights, post-exit?

Samia Badani (Head of Campaigns and Stakeholder Engagement, New Europeans): The EU is quite ambitious, and what it offers are nearly unilateral guarantees. It accepts that the rights of UK citizens in the EU and their family members and future family members, those who are in the EU, will be guaranteed for life. Somehow it moves away from reciprocity because the EU is saying to the UK, "Look, we are offering that both groups of mobile citizens keep their rights as if Brexit never happened", and the UK is taking a completely different approach.

One thing I forgot to mention - there are some good points in the UK proposal - is it seems to accept them, those bilateral arrangements, in terms of exportability of benefits, recognition of degrees. However, again, our view is it needs to abandon the cut-off date, because you could have a British national in Germany who arrived yesterday, and if they fall after the cut-off dates they will have more rights guaranteed. This is the opening

position from the UK, so now we are a bit in a tricky situation because what happens next? The EU has said it: UK nationals in the EU will have the same rights as they currently enjoy, or all the rights that they are about to enjoy, which is even more generous. The UK has started from a much lower position, in fact, or a completely opposite position. This is where we are with that.

Jennette Arnold OBE AM: Yes. Thank you for that.

Len Duvall AM (Chair): Charlotte, do you want to come back on the issues that Andrew [Dismore AM] raised, particularly about jurisdiction and one of the proposals? Do you want to comment on that? I think he was commenting, saying that a compromise might be the ECHR, rather than the ECJ.

Dr Charlotte O'Brien (Senior Lecturer, York Law): It is an interesting idea. The ECHR has not been politically any more popular than the ECJ. I think it would be an odd switch to have.

Andrew Dismore AM: The difference is we would still be a member of the Council of Europe but would not be a member of the EU. It is not a question of popularity, because it is better if you are unpopular when people are ignorant of what both courts do. The fact is it would get over this argument about not being in, yet still subject to jurisdiction of the ECJ, whereas it would be still in the Council of Europe because I cannot see at the moment - although you never know what may happen - staying but coming out of the Council of Europe.

Dr Charlotte O'Brien (Senior Lecturer, York Law): It would be tricky to have the ECHR be somehow responsible for arbitrating between the EU and the UK on a matter that is not really part of the convention.

Andrew Dismore AM: It would be truly individual in the UK. At the moment, the ECHR does a lot of immigration cases of one sort or another anyway, as against an individual in the UK Government and, indeed, governments around Europe.

Dr Charlotte O'Brien (Senior Lecturer, York Law): I suppose part of the controversy about the jurisdiction of the ECJ is about arbitrating whatever the agreement is going to be, and there the EU is a party, and they are not really dealing with convention law, though I take your point that the argument about Article 8 rights, for instance, could certainly be --

Andrew Dismore AM: It would be justiciable.

Dr Charlotte O'Brien (Senior Lecturer, York Law): It would be justiciable, yes. I am just not totally convinced that it would be considered to be a particularly strong claim under convention law. Essentially, what is at risk here is a series of rights that would be agreed between the EU and the UK. Of course, if EU nationals become effectively third-country nationals, then you are dealing with immigration law and then you are dealing with Article 8 triggered as a consequence of that.

Andrew Dismore AM: Also, even if the agreement, such as it is, between the UK and the EU sets out certain rights and obligations, whatever, if those do not comply with Article 8, there is still a fall-back position for anybody, even if it is not covered by the agreement, to go to the ECHR to say, "My article rights have been infringed", even if it is out with whatever the treaty obligations are.

Dr Charlotte O'Brien (Senior Lecturer, York Law): Of course, the problem arises if the agreement, whatever it is, recreates or replicates the situation that exists for third-country nationals in the UK generally. It is not going to be something that the --

Andrew Dismore AM: Yes, but the point – sorry, last point – is that those third-party nationals now have the right to go to ECHR.

Dr Charlotte O’Brien (Senior Lecturer, York Law): Yes.

Len Duvall AM (Chair): This is going to be a very interesting point. It is going to be one where we are not going to know the outcome of that because that will be part of some of the negotiations that come up, but in terms of options, these need to come out into the open. The earlier, the better.

Samia Badani (Head of Campaigns and Stakeholder Engagement, New Europeans): Could I just add one thing? Again, that is why I briefly mentioned the constraints with this principle of reciprocity. You will be in a situation where UK citizens in the EU post-Brexit would fall under the ECJ jurisdiction, and EU nationals here would not. You see the problem that we would have.

Andrew Dismore AM: Dual jurisdiction.

Samia Badani (Head of Campaigns and Stakeholder Engagement, New Europeans): Yes, dual on that.

Len Duvall AM (Chair): Other Members, or can we move into the main item? This is the chance where, for the little audience here in the chamber, anyone who wants to can ask some questions of our expert guests or make a statement about some of the issues they have heard. You are under no pressure to, but we will take you and try to fit you all in.

Public speaker: My name is Emmy van Deurzen, of Dutch origin. I have been in the UK for 40 years. I am a professor with Middlesex University. I run a postgraduate college. I am also Vice-Chair of New Europeans.

I am extremely concerned about the mental health problems with EU citizens, which are very serious indeed. For the past years I have been in touch with literally hundreds of EU citizens who are breaking down and who cannot get the support for that because none of them dare use the National Health Service (NHS) anymore. This business about having health insurance has become a real problem to them as well.

What we are seeing is a scale of a problem that will hit us later on and that we should be very ashamed of allowing this to happen. There are 3 million people in this country who came here in good faith, who made their lives in London, as we are speaking here in London, and who trusted that the pledge that was made to them would be life-long, and that the families and the houses and the businesses they created would be safe and secure, and that all of their family would be part of that, and they would never find themselves in this situation where suddenly all of that has been taken away for them. For more than a year they have been in this state of mind where they expect the worst, where their children are being asked to acknowledge that they have parents who are foreign, suddenly, when we were all equal with the Brits for many years. We were friends, we were trusting, and suddenly we have been removed from that status and we have become second-class citizens who are now looking at the possibility of becoming third-class citizens. It is just unconscionable. I just cannot believe that we have not made a bigger scandal about it all, because it is totally unacceptable.

In London, where 85% of people voted to remain in the EU, we should show the country how it is done. We should support these EU citizens much more forcefully. I could give you many things that we can do straight away. We are very lucky to have Carolyn Downs from Brent Council, which is the one council that has set up

some services for EU citizens, and I hope we hear about that soon. Every council should prioritise services for EU citizens at many different levels.

We need places where we can invite our fellow EU citizens to give them information: legal information, mental health information. We need to get them to be in workshops with each other so that they can mutually support each other. We need much more education about what is going on, what they can do and what recourse they have. None of that is happening. Nothing is happening.

These people are isolating themselves. Some of them are saying, "I don't dare go out in the street anymore because when people hear my accent, suddenly they start banging into me". People talk about their cars being destroyed or mud being put on them. This is unbelievable. These 40 years I have felt at home. This is what all of the EU citizens are saying: "I felt at home here. This was my country of choice. I put my roots down. This is my home, and now I cannot consider myself welcome anymore. I cannot even feel safe anymore". What are we together going to do about it? We need your support. We really need your support. We need you to hear us loudly and clearly. This is not acceptable. Please. Thank you.

Len Duvall AM (Chair): We are going to hear more about that from Carolyn [Downs] at the end of one of our sessions about what local authorities and the Mayor can do, but I very much heard about the inconsistency of where people can go and that signposting at this period of time.

Public speaker: The first thing I would like to say is that it is not just EU nationals. There are European Economic Area (EEA) and European Free Trade Association (EFTA) nationals who are involved, obviously not quite so many of them, but I think about 30,000 in the UK as a whole. People from countries such as Iceland, Norway, Switzerland, and I think about 30 from Lichtenstein, who are all here exercising their treaty rights, essentially, although the legal basis is slightly different, I guess. The only thing within the UK's offer about that was that there will be a similar arrangement, which does not really say anything at all.

I work for an organisation called the European Citizen Action Service in Brussels, and we do offer free legal advice to not just European citizens but all across Europe, in all the member states, to people exercising their free movement rights. We also have something called the EU Rights Clinic. We work on similar cases, more complex cases. We have found that people are very, very concerned about Brexit. Initially, they were concerned just generally about Brexit; more specifically, recently, a lot of people are really concerned about residency. A lot of this stuff about Comprehensive Sick Insurance (CSI) has only got in the news recently because of Brexit, but it goes back at least to 2012 when the commission identified that it was a problem, but they have not done anything about it.

Len Duvall AM (Chair): Could you explain what exactly the problem is, because it is quite confusing?

Public speaker: With CSI? It is usually reported on when people apply for permanent residency. They are told they have not necessarily been legally resident here because within the Citizenship Directive people are entitled to permanent residency after five years if they have had CSI. People who have been working for most of that time are generally OK because they have been paying National Insurance, but people such as carers, students, people who have worked and not worked, in those sorts of situations, and people who stay at home, whose partner goes out to work, they are the kinds of people who are being turned down for permanent residency because of this CSI. Also, access to benefits as well now has a similar requirement. It is often people that you would be surprised about, you would think they have been here for 14 - 15 years, but because they have not consistently been working or they have been studying at various times, they are being told now that they have not really been legally resident here so they are not entitled.

Generally, for EU nationals here and EEA nationals, there is a general level of distrust of what the UK's intentions are. They try to make it sound like a fair and generous offer, when really it is a negotiating tactic. From what has gone on, people who have permanent residency now will have to reapply, as was already said. People just do not really know what their situation is.

We also recently had a survey of UK and EU nationals who are affected, but for EU nationals, 86% of them felt personally affected by Brexit. Many people felt less aware of their rights than they were before the referendum, I presume because they are now actually looking at what their rights really are. A lot of people are getting more politically active. What we are trying to do is to raise awareness more generally of people's rights that people have, so people know where they can go to, people know what they are entitled to, and people can go to their political representatives and say, "What is being done about this and what is being done about that?" Some of our partners are here today. We work with the Law Centres Network now in providing legal advice in London. There are Law Centres in Harrow, Islington, Lambeth and Southwark where people can go to receive advice. As well, we have a service called the Europe Advice and EU Rights Clinic, so anybody who needs advice on Brexit can always come to us.

Generally, the Government needs to do more to regain people's trust, to give people some certainty as to what their rights are going to be, what their status will be. People need to know that even if there is no deal, which is looking more and more likely, their rights will still be guaranteed, regardless of what happens in negotiations.

Len Duvall AM (Chair): Thank you for that. The colleague there, just in front.

Public speaker: Thank you very much. Włodzimierz Mier-Jędrzejowicz, Federation of Poles in Great Britain. I would just like to point out that of the 3 million people spoken of, possibly up to one-third are Poles.

Thank you for the previous two presentations. It is very important that reassurance be given, and if the Government is not giving it, then reassurance from local authorities in the form of various help would be extremely helpful. Particular problems are children being discriminated against in schools. Something to help the children feel that they are at home. The second problem is that so many Poles feel that they will simply be leaving Britain in the next year and a half because they do not know, and why not go back to Poland, where the economy is at present growing? One cannot guarantee anything. It would be a loss to London and to the country as well if emigrants who have been here for five years, who have settled, who have set up businesses and so on, suddenly start leaving. The reassurance from local authorities will be welcome, and it will probably be economically helpful because it will stop the loss of people who are, in many cases, important. Thank you.

Public speaker: Hi. My name is Lara [ten Caten]. I am an Italian citizen but I also work for Liberty. One of the problems that we have seen adds to the theme of mistrust. I do not know if you are aware, but there are several secret agreements between departments of the Government regarding data-sharing, and it has become a real matter of concern, including to European citizens that are also covered by these agreements. The Department for Education (DfE) can share information with the Home Office for immigration enforcement purposes. The same thing regarding the NHS and the Home Office. That has resulted, we are told by many stakeholders that we have contact with, in people being afraid of accessing schools and accessing health. Obviously, there are a lot of problems related to that. The Government will not give and has not given an assurance that EEA nationals are not covered by that, and that is a great matter of concern.

In particular, there are the problems of children who may be the children of EEA nationals, even more so now that the Government is saying, "We don't know if you are here lawfully". If you are not working, that adds to the issue of the sickness insurance, so someone who has been just a student or someone who has been a job-

seeker or a pensioner, who does not have CSI, the Government may say they are not here lawfully and may try to remove these people by having data-sharing agreements. In fact, the Government is already trying to remove lots of rough sleepers. It may be something that you are aware of. Lambeth Law Centre, which is one of the law centres that has been assisting these EEA nationals, has issued several cases, but also other legal firms. I have read some of those cases, and they are shocking: some people who have fallen on hard times, people who are not, as the Government likes to put, “professional rough sleepers”. Who would want to be a professional rough sleeper? People who have fallen on hard times and who are just being shipped to the Home Office, detained, sometimes not being informed about their rights of appeal. That that is a matter of real concern, in particular insofar as these secret agreements are concerned.

When I say they are secret, I am not exaggerating. They are not publicly available, and they just become available when Freedom of Information Act requests are made, and sometimes after months and months and months. This just adds to the feeling of insecurity that EEA nationals have been under.

Len Duvall AM (Chair): There are some very important points there. We are going to return to advice and support in probably our last session and come back on that.

Dr Charlotte O’Brien (Senior Lecturer, York Law): A brief point about what we have heard about the people who are falling through the gaps. That definitely echoes my experience. In my research, I have been working with EEA nationals – thank you for the correction – in a Citizens’ Advice Bureau (CAB) and giving secondary advice to people around the country. This is what concerns me about the temporary status that is being proposed, which will be subject to the same conditions as these people are already exposed to. Time and time again, it is women and children that are falling through the gaps, people who have been here resident for a very long time. There was a case recently in the Upper Tribunal in which a child, a 17-year-old child, who had been born in the UK, she had lived in the UK all her life, she had never lived anywhere else, was found not to have a right to reside. That is because a right to reside is about having worked. You do not expect a child to work, and yet she was being punished for not having worked. She had been abandoned by her mother, who had moved to a third country, so it was not as though she had a connection with another EU nation to go to or another EEA country to go to.

Women keep on falling through, partly because of this broken status that they had in the past, if they have had a period of work and it has been broken by childcare or other caring arrangements, but also because increasingly in the past couple of years the Government has been redefining what counts as work. People who fall below the minimum earnings threshold, even if they are working as much as they can around their childcare responsibilities or elderly care responsibilities, which amounts to – or certainly a couple of years ago amounted to – 23 hours at the minimum wage, are then being defined as not being workers. That whole past period is being negated and wiped away, and they are being told, “Actually, you are not entitled to benefits or to permanent residence” or whatever it is. That is problematic because it is potentially discriminatory, because there is a sliding scale of what is expected of work in terms of UK nationals if they have childcare arrangements or if they have disabilities, and there is no sliding scale for either of those when it comes to the minimum earning threshold for EEA nationals. That is an area that is deeply problematic and is likely to be problematic looking forward. That is why I am concerned about the possible perpetuation of conditions that serve to exclude women and children of considerable periods of residence.

I will stop speaking now, but I have had clients who have been working for 20 years, for 33 years, and one who had been in the UK for more than 50 years, who was told she did not have a right to reside. It is nonsensical, really, when you think about it.

Jennette Arnold OBE AM: I would just say, especially to the professor, thank you for articulating it. It just had such resonance for me as a constituent Member for Hackney, Islington and Waltham Forest, and for all of my 17 years here and before as a local authority member. These are the stories that I have been receiving in my casework, and the MPs, Diane and Jeremy and others, have been dealing with. This is the experience of those migrants from outside of the EU. You pointed out something that I do not think is so widely known, that the draconian measures that have been brought into the Home Office over the last ten years are really what we will have to be asking for to be withdrawn, and it is just showing what a mountain there is to climb.

Len Duvall AM (Chair): Thank you. We are going to move on to the second session, which is called hidden voices, and my colleague, Caroline Pidgeon [AM], is going to ask some questions around that.

Caroline Pidgeon MBE AM: Yes. I am going to lead off on the first one to Christiane [Link]. We have already heard a bit about new conditions around five different categories of status. We have already heard from one of the members here today about people feeling like they are second-class or third-class citizens. Can you outline which groups of EU citizens are likely to face particular challenges when it comes to navigating the processes that are set out in the Government's policy paper?

Christiane Link (Chair, Disire): Yes. First of all, thank you so much for the invitation. Disire, the organisation I am the Chair of, is a newly founded organisation of disabled Europeans and other disabled people who live in the UK. We are the voice of disabled EEA and EU citizens. Some of them are unable to obtain permanent residence in light of Brexit because they are unable to work and do not meet the criteria because of this. We also campaign for carers from EEA countries who provide full-time care for their disabled relatives, and they are often caring for British citizens, in fact.

EEA nationals who provide such care for their family members are often unable to assert the right to residence because the Home Office does not consider them as working persons exercising treaty rights. Also, I want to correct the comment made before: they are not considered self-sufficient. Even if they have CSI, it would not help them because they are in fact not self-sufficient under the regulations. Disabled Europeans in Britain are facing a hostile environment at the moment. They are considered as unwanted by at least part of the society. They are not only labelled as immigrants but often labelled as a burden to society as well because they receive disability-related benefits, for example. Even in the first couple of months after we started Disire, we cannot comment on anything without receiving comments like, "You only came here for the benefits or to use the NHS", even though a lot of disabled people have lived here for decades and in other European countries there are health systems and benefits for disabled people as well.

On Facebook, many Europeans start their post, when they ask for advice about their status, with the words, "I never received any benefits in the UK", as if this is an achievement, but it also shows how difficult it is to say at the moment, "Yes, I am receiving benefits". It only means they never had any life-changing car accident, they did not become a crime victim; they did not get cancer or have any other impairment. It is not an achievement not receiving disability-linked benefits.

We hoped very much that the start of the Brexit negotiations would calm down and clear up the situation for us a little bit, but unfortunately the proposal recently presented by the UK Government concerning the right to stay for EEA citizens does not make any mention of disabled people or carers and is extremely unclear about the requirements for the new status. The Home Office has not defined what "residence" means. It is unclear if it means presence in the UK, which most disabled people and carers could fulfil, or if it means that the person must be present and exercising EU treaty rights, working. It is always mentioned, "Living and working in the UK", which is a concern to us. If that is the case, then this would make it impossible for many disabled people

and carers to obtain even the new proposed status. It is also not clear if the receipt of benefits, the receipt of carer's allowance, will play any role in the future.

We welcome the intention to scrap the CSI requirement. Even so, this move would not help most disabled people and carers who receive carer's allowance or disability and other benefits, as they are not considered as self-sufficient. The grace period would not help them either, as their impairments are permanent and they cannot change the fact that they are disabled in the two years' time.

We are also worried about what will happen to non-EEA family members who are married to a disabled or terminally ill EEA national who might pass away before the five years of residence has passed and without a chance to use the grace period due to their partner's early death. We have just been contacted by an EU national with cancer who is worried about what will happen to his non-EEA wife if he passes away before Brexit. People are very anxious and worried about the future, and they have the feeling they are losing control and cannot do anything about it.

Disabled people are often unable to meet the income threshold as stated in the Immigration Act. If a new threshold is implemented for EEA citizens who want to live with their partner or family member in the UK, there must be provisions made for disabled people who are unable to meet the requirement due to their impairment. In general, any new arrangements regarding the right to stay in the UK for EEA citizens must not discriminate against disabled people and their carers. Both the UK and the EU have signed the United Nations (UN) Convention on the Rights of Disabled People. Disabled people might need help to apply for any new status. People with visual impairments, learning difficulties and other impairments might need help to fill in forms and collect evidence to prove their status, and so the council has a vital role to support them in the future if any new system is implemented.

I personally have just applied for British citizenship and had to do an English test and the Life in the UK test. When I called up one of the centres to ask them if they are accessible, they immediately cancelled my test and told me they had to do a risk assessment first if I am allowed to do the test there. I had the feeling I am the first wheelchair user ever doing an English test in this country. Things like that must not happen to any other Europeans. You really feel you are a second-class citizen. Even if you jump through every hoop they are giving you and every test you have to take, then at the point where you mention you are disabled they say, "No, we have never had this before. It is quite difficult". It was a very unwelcoming experience. I had to reschedule the test and I do not want any other disabled person to experience the same when they go to a council office or to wherever they have to go in the future to secure their status.

When people have to apply for new status and have to visit offices or whatever the new conditions will be, the process must have disabled people in mind. Of course, we would prefer a process, as mentioned before, where nobody has to apply for anything. This was the case in the past decades, and we Europeans will get treated the same as before meant equally to British citizens. Thank you.

Caroline Pidgeon MBE AM: Thank you very much for that. The more we hear this afternoon, this does not represent the country I live in and believe in and, for many of us around this table, our beliefs; it is quite shocking to hear the reality on the ground of such a decision.

Caroline Russell AM: The second question in this section on hidden voices is for Samia Badani. What specialist provision is required to support vulnerable EU citizens and who is best placed to provide it?

Samia Badani (Head of Campaigns and Stakeholder Engagement, New Europeans): Thank you. Emmy [van Deurzen] has done my job. She gave a passionate speech in terms of the mental health perspective. In the past year, we have not highlighted the issues enough as if they assume that it is okay, day in, day out, not to know what your future holds. We are starting to see the impact this is having on the mental health of EU nationals.

Now, we understand that local services are overstretched. There is going to be a need for provision of those services, and the London Assembly should recommend that appropriate resources are put in place and look at different types or different models of service delivery for these EU nationals by EU nationals and look at how you can target them. One thing we have not said enough is that these EU communities are hard-to-reach communities and often in different London boroughs. They are not engaged with local services, and that is something that needs to be done as well in parallel.

What we have done here with New Europeans in the last three or four years is to encourage the democratic participation of EU nationals, and it is coming. We have seen people more involved because it is about cohesion and it is about building those stronger communities. It feels like the work started with the EU nationals, and then the referendum came and it was all interrupted and we are getting disintegrated, and so there is a lot of work to do around this, especially since we know EU nationals no longer feel welcome here. You can imagine the sort of impact this is having on families, on children and on all individuals.

I want to go back to your point on the Home Office data-sharing. We met with the Immigration Minister and the good news is that they want to streamline it, but there needs to be a bit more scrutiny because the burden of proof is shifting to them accessing the information and, ultimately, they will access information from local authorities. Back in 2013 the Home Office and the Metropolitan Police Service (MPS) began this Operation Nexus, which targeted EU nationals, especially the ones who were homeless and did not have the right to reside. Again, that was data-sharing.

We know the housing crisis we have in London. We know that EU nationals mostly live in houses in multiple occupation (HMOs) with little security of tenure. We recommend that there are more efforts to try to make sure that they do not lose their homes because, if they become homeless and then try to access local authority services and for some reason they are not assessed properly and somebody says, "You do not have a right to reside", after Brexit, that means a lot. People could potentially end up in detention centres.

It is about strengthening those communities, keeping their lives stable, looking at their housing environments, ensuring that there is access to school education and that people are not faced with discrimination. Of course, access to legal advice, and not simply legal advice but information services. I do believe, having worked with EU nationals over a number of years, they have the skills but just need to be empowered. It is the lack of information.

What we must not do is to think that it is OK for information to be accessible online. That is not what is needed because of the current state of anxiety. We know that government services, even local authorities, prefer delivering advice services through digital channels and so it is difficult in the context where EU nationals are. You can read 20 factsheets that tell you everything, but if you are anxious you will not comprehend that.

What we must not underestimate is the generational gap between different EU nationals. You have EU nationals who settled here 20 or 30 years ago from different communities, from different member states, who do not necessarily speak English and do not completely participate. One would wonder how we reach them. There must be a specific engagement strategy by local authorities to help and to provide the support that they

need, and so a bit more digital inclusion as well and emotional support. I would like to hear more from their perspective in terms of what they tell you.

Caroline Russell AM: Yes, I was just going to say that it was absolutely devastating testimony that we heard from both of you. The idea of people who are unwell and worrying about what is going to happen to their partner if they do not live beyond the Brexit date is just unbearable, and so is the idea of people having to do a risk assessment to allow them to do the English test. It is absolutely shameful that the situation is like this, but I completely agree that it would be very good to hear now more from the floor.

Public speaker: Hi. My name is Anne and I am an EU migrant from Denmark and I also work for an organisation called Migrant Voice. I work with migrants from around the world but also a lot of EU nationals or EEA nationals, I should say.

When I was thinking about what to say, I started by thinking that I feel like I should say something different and I want to add a new point because I do not want to keep repeating the same points. Then I thought, actually, there is a reason why people are repeating the same point as well: because we are affected by these issues and many of the issues affect us in the same way.

I wanted to start by saying what has been said about the level of uncertainty and how you feel suspended in uncertainty and being told, "Do not worry, there will be some solution for you later and we will tell you the details later", and how that impacts on your life and your personal daily reality. I am speaking of someone who probably could get status if I applied for it. We do not know what the new rules for settlement are and so I do not know, but under the permanent residency I probably could have applied, but I feel a great level of anxiety. My concern really is for the people who are not in a position where they feel that, "Probably I will fit the qualifying criteria", because I work with many people who, as we have heard today, have maybe been here for 30 years but have not been working consistently because they have children. People have lived full lives here, feeling at home in this country, but just do not fit into this idea of what a qualifying criteria is.

I want to raise particularly around a group of Roma that we work with, groups that we work with as colleagues and have met with but also members of our community, who are particularly concerned because of the level of discrimination they face in their countries of origin. They have felt that, although in some cases they also face discrimination in the UK, their lives have improved greatly in a number of ways, but there is a level of fear in that community about their uncertainty, and if that means that you have to leave your country if you do not fit and you cannot get settled status and what you would have to return to. That is very different and that is a group - in terms of when we talk about groups we need to hear from - that is very important. Of course, there are Roma who are very successful and will perhaps qualify under these new rules, but there are also people who work in employment that is more agency employment and is less secure. Proving that your earnings are above a certain threshold and these kinds of things are of great concern to this community.

Another issue that I know is a concern to that community and many others is what my colleague here raised as well about how to apply. What is the actual process? Is it all online? What about people who are not comfortable with that? Currently it is proposed that it will be all online and so there are certain issues around that. We need to really be aware of that.

There is an attempt also perhaps in these processes at a divide-and-rule between the good migrants who easily fit the criteria and that leaves everyone else. Actually, perhaps it will be a majority of the migrants who do not neatly fit into that box, and that is very important.

Lastly is my point also on a personal note. I am also very concerned about this blanket period of permission to stay over two years, because certainly in that time how would that be enforced? We have seen already the level of discrimination that people are facing and hate crime. How is that going to be evidenced? How am I going to stay here and leave into the country in that time period or apply for housing or jobs and so on? That is a very great concern.

Also, this idea that if it is not a lifetime guarantee, if it is not enshrined in law and if there is no oversight beyond the UK Government, how do we know that we do not lose our rights further down the line? Thank you.

Public speaker: Hi. My name is Eric Gayle and I am on the board of Disire. I am one of the people that Christiane [Link] was talking about. I have lived here for 37 years and I have only just managed to find work. Even the work that I am doing is part-time and it does not quite go up to the threshold of £655, I think it is. It is very worrying for people like me. If I am supposed to have this insurance, who is going to insure me? As you were saying, there is a case of good immigrants and bad immigrants. I have had loads of people who have said to me, "No, but it will not affect you", because I have reasonably good English. It is bizarre.

Also, the people who we are not picking up are the people who do care for disabled people professionally. A lot of those do come from the EU. If all of those people do decide to leave the country, who is going to look after - possibly not the likes of me - all the other hundreds of people who do need 24-hour care or whatever?

Public speaker: I am Michael. I am from Lambeth Law Centre. Just to reiterate on some of the groups whose voices are not being heard, I thought what Christiane [Link] said was amazing and really revealing about things. One group she touched on was third-country nationals, people who are family members of European nationals. It may be because their families are their sponsor, as it were, and having health problems but also because there may be a relationship breakdown. Women who are victims of domestic violence are currently able fairly easily to leave those relationships and still have some sort of protection. Their voices do not seem to be being heard. Third-country nationals and children who are here long-term and who are separated from their families we see quite a lot of, like the case you were talking about: a child who was born here and had 17 years growing up here. We are seeing European immigration tribunal decisions which are suggesting that people whom we all thought were British nationals - and indeed the Home Office thought were British nationals - the Upper Tribunal is now suggesting that maybe are not. There are those sorts of groups of people.

Then beyond that are the people who do tend to drop through the cracks, the people whom we are already hearing do not have a right to reside, but they do have a right to reside. People do not lose their right to reside because they are homeless. They lose their right to reside because they are not exercising treaty rights. Most of the people whose cases we have taken on that issue have a right to reside. Some of them are permanent residents; some of them are people who have been working for years here. They drop through the cracks the same way as British nationals drop through the cracks, and they are being faced with detention and removal. It is not a question that people may be put into detention centres; people are in detention centres now already.

Finally, just to touch on the point that some people been raising about data-sharing, there is an issue about here in terms of rights to privacy, but I would make the point that whilst the Home Office seems to find it remarkably easier to data-share when it suits them, when a woman is fleeing domestic violence and is trying to establish that her spouse was exercising treaty rights for five years and she would have acquired permanent residence herself, it seems to be an awful lot more difficult for them to find.

Len Duvall AM (Chair): A point well made.

Public speaker: My name is Piotr Sadowski. I am Secretary General of Volonteurope, which is a network that aims to achieve more social justice across EU and Council of Europe countries.

I just wanted to make two comments in relation to people with disabilities. There is a really big concern about EU rights on disability, passenger rights and accessibility when they are being scrutinised as part of 7,000-plus different issues here in UK law that they are not just treated as red tape and they are properly scrutinised. Otherwise, the impact on disabled people will be hugely disproportionate than on other EU citizens without disabilities.

Secondly, lack of access to EU funding will also impact a lot on the disability sector in the UK. Thirdly, there are UK disabled citizens who rely heavily on personal care and assistance from EU carers and so - again, what the gentleman said here - if they were to be forced to leave, the impact on UK citizens will also be tremendous. Thank you.

Len Duvall AM (Chair): I should say that some of our work earlier on has been listening to some of those different sectors, both private and public, about the impact of EU workers if they were withdrawn and what the impact would be on those services, the NHS being one. In terms of local authorities, we heard from the adult social care sector and, also, we heard from the private sector. The British hospitality trade has said that this will be massive. There is no filling the gap of these different sectors as well as some at the high end in terms of the financial sector and some of their workers.

Public speaker: From a personal point of view, I am a non-EU migrant, first generation. Professionally, I work for the Migrants' Rights Network.

Just on the question of which voices are not being heard, echoing some points already, but it good just to reiterate some of those. An obvious one is EU nationals from lower socio-economic groups. We talked about good migrants and bad migrants. Good migrants generally tend to be, in the media narrative, from Western Europe, people who are educated and skilled, the kinds of people who are on the panel speaking today. Often the people who are bad migrants are people who are lower skilled, working in temporary jobs, food processing, picking fruit, those kinds of people who are coming in and out of employment. They are an obvious one, and they are obvious because they are disenfranchised, and so their voices do not get heard in the media. If people are educated and enfranchised, generally, their voices get to be heard more. That is just a general point.

Someone already mentioned Roma, but just a bit of history. They historically have come here fleeing discrimination. They initially were going through the asylum system. That stopped when they were able to have freedom of movement. Now they are stuck. What are they going to do next?

Another one is black and minority ethnic (BAME) EU nationals. It is a smaller group but there is some intersectional approach there. People who are from EU countries but, let us just say, look like me who have come here and have been living here, I have not heard many of their voices represented enough.

Sometimes it is obvious why they might not be mentioned, like children of EU nationals. Their voices are generally harder to get across because they are children, but they are their experiences of living here as EU nationals and what the future holds for them.

Just another point really about languages, and I totally understand why people have used the words “second-class” and “third-class” citizens. I just want to encourage you. From my own background, my family had to go through that kind of stuff and jump through the same hoops. You are not second-class citizens. You are as welcome as anyone else. I hope you do not feel that, because we did not like to feel like we were second-class citizens in the same way.

Samia Badani (Head of Campaigns and Stakeholder Engagement, New Europeans): I do not have all the solutions but I can tell you what we are doing. We have been meeting with DExEU and the Home Office. We have made it clear that they need to be transparent and to engage with the wider sector including the migration sector because, in our view, there is no point in them trying to streamline the service and making it easier for EU nationals when loads of migrants in this country find it hard to apply for indefinite leave to remain.

In terms of what we can do as a sector, we need to remain united and to criticise that immigration system. We are not complaining that we are going to become migrants. We work hand-in-hand with migrants. We think that this immigration system is unfair. From our point of view, we do not want to be better treated. It is just that the fact of our EU citizenship gives us a certain status and we do not want to lose that status. It is in no way criticising other migrants, but we say that the immigration system needs to be reviewed full stop. What we want is not to be treated differently; we just want to keep that status that we have had for years. I just wanted to clarify that and where we come in.

Jennette Arnold OBE AM: I do thank the last speaker because what he was identifying is just how complex the situation is and just what state the Home Office migration policies and structure is like. The idea that they are now going to have to take on another system or another layer leaves me totally baffled. I know that for a colleague there, Sunder, this is something that he has been working on and has written about. We cannot underestimate the complexity of the situation. The gentleman talked about BAME visually being represented in this population. From Angola being French. to living in Finsbury Park, I do not know which discriminatory factor you are going to pick up in that one. Think of the complexity. I will just say that we have heard about children being discriminated against. As a school governor, it is not for this Committee, but every act of discrimination has to be registered and is registered in a school, but it tends to be focused of course on those groups that have been subject to discrimination for as long as, if you like, Britain has had colonies. There is a way through this, through our education system, to pick up those issues of discrimination and pick those up as soon as possible.

Len Duvall AM (Chair): Let us move to our third section which is entitled community cohesion, and Caroline Russell is going to ask a question around that.

Caroline Russell AM: Yes, community cohesion. Since the EU referendum vote there has been an increase in racially or religiously aggravated incidents of discrimination that have been reported. Also, with the recent terrorism incidents in this country, we have seen more attention brought to the issue of social cohesion. We have a Mayor who is doing as much as he can with the “London is open” theme of work that he is doing, but this is a question for Sunder Katwala. What practical steps do you think that the Mayor could be taking to support social cohesion in London’s communities?

Sunder Katwala (Director, British Future): Thank you very much for the question and the invitation to be here. British Future is a nonpartisan think-tank and a charity. We are interested in Britain being a confident, welcoming, inclusive society and so there is a lot of work to do on that. For us that is about addressing the

anxieties that lots of people feel about how we are handling issues of identity, of integration and of immigration and how we build more confidence in that.

In terms of practical steps for the Mayor of London, the appointment of a Deputy Mayor for Social Integration with a team to have a program is a really good foundation for that. British Future, my organisation, and London Citizens called for that ahead of the mayoral election just to say that there is a lot of work to do in London. It is the place of most change, most churn and most confidence about how we have handled that change but, actually, it is good for the rest. It is good for London to get those issues right. It is good for the rest of the country to see that although London is the place of most confidence, we do have to roll our sleeves up, make that work and bring about the contact.

What London can particularly do is pioneer a new approach to integration and social integration that goes beyond what other cities have done. A lot of cities have paid more attention to integration in the last 10 or 15 years. There are good examples in the United States; there are good examples around Europe. There are things we can learn from it. There is also something London can pioneer, which is that when cities have stepped up there is always a tendency to do integration as if integration is about minority and migrant affairs rather than integration being what brings the city together for migrants, for minorities and for everybody. Just the demography of London makes that a chance for us to do that.

While there are specific issues and challenges - and today we are very much focused on the specific issues and anxieties for Europeans or Brexit - clearly, a group is affected in a very big way if we do not link up how we address those issues for Europeans to the "everybody" agenda, what is fair opportunity in our city, what is a sense of belonging in our city, how that works for Europeans, for people from different ethnic and faith minorities and for the majority community. If you do not make it an "everybody" agenda, you do not really have an integration agenda. It is that balance between dealing with the particular challenges and barriers, everything we have heard today. If you do not have secure status in a country, then your psychological feeling of belonging and integration is incredibly disrupted, but that should be part of an agenda that is about all Londoners, that is about the integration into London of somebody who gets on the train in Newcastle as well as somebody who gets on the coach in Warsaw and comes to our city.

London is in a particular place to do that and it would be good to look at the challenges we face today for Europeans in that way because we could also break down these them-and-us debates that integration is the minorities versus the majorities, it is Muslim integration or it is immigration and Europeans. London could push at that. Securing the status is an absolutely essential foundation.

The thing I wanted to say about that is: where could the Mayor of London add value to that this summer and this autumn? I do not think that added value is going to be in the issues that are currently being debated between the governments now between those positions. We can all have a view on that and have the debate, but hopefully we will see some progress this summer or this autumn for Christmas so that we can get on to the other issues and settle this issue. The Mayor could add a lot of value in what the big question for 2018 is: are we going to get a fit-for-purpose system that works? The reason the Mayor of London could add a lot of value is, if we are going to get this right, then a third of the people involved are in London and so the London stakeholders and the contribution they can make is a very big part of the national picture. There is a convening role there. It is such a complex issue and everybody can find so many complexities. Can the Mayor help to align the priorities of the people affected themselves, of their employers in the private and the public sector and of the political voices that want to get it right as we move from the principle to the actual practicalities of doing this?

Do not underestimate that there is some potential here for shared interest with the Government and the Home Office. There is a tension. The Home Office is interested in control and security and having a system that is tight, but there is also a pressure because of the sheer capacity of the scale of what they have to do that actually having a more light-touch, inexpensive system - not just inexpensive for the applicant but inexpensive for the Government - to do simple case as well would let you perhaps do the job in two or three years. There is there is a really good convening role there.

There is another issue, which is that - as has been said - using online would be good but online is not very good for everybody. Can this be localised and personalised? On our own report, the Brexit Select Committee has said that there is a real opportunity to do a lot of cases at a local level. There might be a willingness to do that. There is a big capacity challenge but the Mayor could be a very good link between the London boroughs and the national Government, as other city or regional mayors could be. Otherwise, the local and national levels are not going to speak. The use of local nationality checking services which already do something quite like this to see if some cases can be green-lighted would be very good - if they had the resources, the skills and the training to do it. If it is dumped on them without the capacity to do it, then it will not work. There is a really good piece of convening there about the constructive potential consensus on how we are going to do the scale of this task. It is about a focus on the light-touch system that would not be onerous for applicants, and then the advice and communication to "harder-to-reach" groups and the advice that is needed for "difficult" groups.

Data-sharing can be something to worry about. It is a big part of the answer when the Government already has the information and should not be sending either individuals or employers on a 40-year-long paper-chase for things that are sitting on Her Majesty's Revenue and Customs (HMRC) database. There is an awareness of that. There is a really constructive, crunchy role in terms of what the solutions might be for doing this and a brokering of that.

Communications are going to be really important. The Government does not know who these people are. Between them, London stakeholders, boroughs, employers, the public sector, the private sector and schools could really help to reach people if they had good advice to communicate. The other point that has come up is that communication to people who are not the people affected is going to be incredibly important if we are not going to see discrimination. There are some real risks of this period and the issues we have been talking about.

There are then two other issues of integration and cohesion: xenophobia and hate crime. It is wrong and bad and unacceptable for lots of reasons. It is definitely a barrier to integration. It basically sends you back into your shell and you are not reaching out. There are some important things to do here. Europeans were just not on the radar of what governments talked about in their hate crime strategies. If you look at the one that the Government produced after the referendum, the timing was all about the referendum and the salience of it. There was not any content about that. We do not know very much, actually, about the experience of Europeans, what you report, what you do not report. Anecdotally, we think that quite a lot of people maybe from A8 countries do not think that being abused in the street because you are foreign is the sort of thing you take to the police. Having a really clear message that actually it is something you take to the police and it gets taken seriously by the police would be really good so that there is support for groups that face abuse.

There is a really important balanced political message that is needed, which I would sum up as "vigilance without alarmism", because we should be getting the underreporting of this out into the open and getting more of it reported and then we will see our statistics going up. We do not want to say, "There is xenophobia and racism in London and we are going to deal with it". It is not a xenophobic city and so we should be really

careful about having the welcoming and open message that is very clear. That is why we are dealing with it and the way we handle the increase in statistics that we would have if we collected them properly.

There is another really difficult bit about hate crime that we have not thought about much and xenophobia, which is how we are going to reach potential perpetrators. That is a different kind of point and it is a difficult audience to get to with support for the groups that were affected. There are some people who will put on Facebook, "London is open", and they are not the sort of people who are going to go and shout at somebody on the Tube, I hope, when they have had a drink, about what country they have come from.

Our schools could do a lot, and schools are places where there are problems, but schools are probably doing a lot with 11-year-olds, 15-year-olds, 16-year-olds and 18-year-olds about what norms are. Schools can be places of kindness where people can get that reassurance. What do we know? We hear what the Mayor and the office do around messages on public transport and so on. What do we think about that group that probably does not totally buy into "London voted remain" or "London is open"? What is it that keeps that group knowing what norms of behaviour are and about what you do or do not say? You can have sceptical views about the level of migration but you do not abuse people who are different to you. What is the peer group pressure to not do that as well as the peer group encouragement to do that? I am not sure. Some civic society groups have been very good at getting to the very tough end and very tough places. Groups that support victims tend not to do that and so there is some knowledge-sharing there.

Finally, contact. In the long term, why is London the place of most confidence when it has the most diversity? It is the place of most confidence because it has the most diversity. In the end, when you have met people, it works. How do we have contact with the people who are not likely to have it as well as contact with people who are likely to have it? This is the big challenge of social integration. What are the moments? If you can get that surprisingly reassuring contact - "I would not have gone maybe, but actually it was great" - that is a different group from the group that will go to something that is celebratory and about contact. What are the moments that do that and how could we do it? We saw some of that with the Great Get Together events that took place. A lot of people who were very pro-openness and diversity would have gone and a lot of those things were held in different places, but how can we find ways to do that? The use of sport and the use of volunteering and the use of things where things are going on to engineer contact in a subtle way is quite important.

The other thing we could look at are moments that are moments about identity for everybody and that are big moments for most people in London. How do we work in surprising contact and surprising inclusiveness into that? We have had a lot of positive experiences in the work we have done at British Future with the First World War centenary, and you will see this across the boroughs in London. There is a real story there about a multi-ethnic and multi-faith Commonwealth contribution that goes back 100 years that some people know about and a lot of people do not know about. Over those four years a lot more people will know about that than did not. Not knowing that 400,000 Muslims were in the British Army in World War I and finding out about it makes you feel differently if you are British Muslim and makes you feel differently actually to someone who really likes the Army and thought Muslims could not be British. That is quite important.

The world will change a lot between August 2014 and November 2018 with Donald Trump [President of the United States] and with Brexit. What were we thinking about the centenary and what we would do with it at the start and what should we be thinking about at the end? I wonder if November 2018 is quite an important moment to have a message about reconciliation and remembrance and Britain's place in Europe and what that history has been. It is slightly counter-intuitive in a way because of Brexit, but actually it is quite an important moment to express some values about that. It would be a very powerful moment when the whole country is

watching something on television for political actors to bring in some things that maybe they were not thinking about and to have an “everybody” message about inclusion and integration that is multi-ethnic, is multi-faith, is British and is relevant to Europeans who come here as well.

Len Duvall AM (Chair): Thank you for that.

Caroline Russell AM: Thank you. That just added enormously. The most important thing was that thing of London as a place of change, churn and confidence.

The other thing is that we are all Europeans, and it is just so important that all of us are Europeans but come from different countries within Europe. Just holding on to that while trying to address the issues of integration is just incredibly important because it is very easy to think of Europeans as “other”, and that has been very much part of the national narrative. It is really important that we make sure that the national narrative includes the idea that we are all Europeans and we European citizens who were born in this country are losing something as well through the Brexit process.

Jennette Arnold OBE AM: Yes, I was just going back to Sunder [Kattwala] and thanking him for his presentation. I would just challenge something that you said about London in your narrative. It was almost a place of total harmony – I exaggerate – and that cannot be the case, certainly not from my experience representing three boroughs over 17 years. If that was the case, then we would not have disenchanted and disenfranchised young people. We would not have our education system showing how difficult it is to actually get through our education system and get through to degrees if you are from a certain postcode. I am going off after this meeting to the launch of a paper that shows London has one of the highest drop-out rates in our universities.

Why I am saying this is that we do have to recognise that London can be as hostile a place as a lot of cities. The hostility grows around the “other”. Once you are designated the other, you are in a different place. I just go back to Christiane’s [Link] example. We heard some of that experience when we did scrutiny on people with disabilities, access to work and how our system penalises them and has always done. I would just say to you, Sunder, that I am just not with you all the way in terms of that narrative that you give. The city can be, in places and at times, one of the most hostile and discriminatory cities alongside everybody else.

Sunder Kattwala (Director, British Future): What you say is very important for a couple of reasons. Firstly, if we do not acknowledge that, we will not deal with the issues. London will be a place of anti-Muslim prejudice; it will be a place of Islamist extremism and intolerance against other people; it will be a place of racism. Those will be minority views within all of those communities but, if you experience that in the street, that is very important. If we do not say that that is true, we will not go and address. In the referendum London voted 60-40. It is on one side of the question, but that is quite a lot of people on the other side of the question. There will be a mix of identity and opportunity issues going on there and so it is helpful to remember both views are in all parts of London. It is important to deal with it.

I would be very reluctant to have too exceptional a message about London in the national debate if we are heard to be saying, “London is open. In the rest of Britain you are all oiks but we will get on with it”. We want to say, “Britain is going to stay open. London is going to be part of that. We will deal with the challenges here. We have prejudice, too”. The more you normalise the London experience, where the pace of change is fastest and in some ways there are the most challenges. Comparatively, it has the most confidence. The Scots have an idea that they have a particular confidence about this without the level of change that London has had. London deals with the most change and has the most confidence if we roll up our sleeves, do it and do

not turn a blind eye to all of the problems. Then of course it is very important to say that those issues of opportunity and inequality and housing pressures and public service pressures are felt by migrants, are felt by minorities, are felt by everybody. If you drop the ball, then you will not get to have your confidence, and business leaders and the Mayor will find that they do not have the support they want.

It is a really helpful message to say, "Actually, London is just like everyone. We are the same as everyone". It is difficult; it is important. Because we have been doing it for generations, we know we can make it and we make it work. It is much better than saying, "We get it and the rest of you don't, and the rest of you are not in the modern world".

Jennette Arnold OBE AM: Just to come back quickly, Chair, and just to say that you talked about the appointment of Matthew Ryder [QC, Deputy Mayor for Social Integration, Social Mobility and Community Engagement] in this really significant position. We recently obtained evidence from him and it was interesting that many of the points you raised came through in terms of his agenda. Maybe we should write to him and say, if he is looking at a timeline, 2018 is really just a few months away.

Public speaker: My name is Tamara Flanagan and I am from New Europeans. I just wanted to pick up on Jennette [Arnold OBE AM]'s point about othering. Although it is not London-specific, we do have a London media and I wanted all of us to be encouraged to challenge the media when they indulge in stereotypes and othering, which they do frequently. I am not talking about pre-referendum but now.

I understand that a young woman, [Johanna] Konta, who was playing tennis last week, has been accused of not really being a Brit but a Hungarian masquerading as a Brit. This kind of thing is completely unacceptable and it reinforces the worst kinds of prejudices and it is an element. We all talk about the media and its responsibility for Brexit but it is still going on and in this area of European citizenship we should pick up the phone, challenge LBC and challenge the British Broadcasting Corporation (BBC) or whoever it is when these kinds of stereotypes are perpetuated.

Jennette Arnold OBE AM: Thank you.

Public speaker: Hi. I am from the Latin American Women's Rights Service. I am a non-EU migrant but also affected by Brexit.

I wanted to say that if you are talking about inclusion and a sense of integration, it is important to see combative narratives and negative narratives around EU migrants in a way that does not foster this dichotomy between good migrants and bad migrants.

It is also important to recognise that there are some pre-Brexit issues that are already affecting the sense of belonging for a lot of EU migrants and non-EU migrants, especially those working in unregulated areas of the labour market, for instance, and victims or those at risk of trafficking and modern slavery, plenty of people in the construction sector or in outsourcing services like cleaning in the case of the Latin American community. It is important that if we talk about inclusion and a sense of belonging to also accompany those debates with actual enforcement of rights, in particular employment rights, of those workers.

Len Duvall AM (Chair): Anybody else who has not spoken yet? I am going to bring people in. If we can come on this side and if we can come down, then I will bring other people in for seconds.

Public speaker: Hello. My name is Monika Tkaczyk. I represent the Federation of Poles and New Europeans as well. For three years we had very hard work with them, like was mentioned, about the social information, let us say, about what is going to happen when we are going to leave. At the moment, we receive in the Federation many questions. What is going to happen? What is going to happen to their businesses? What is going to happen with their family? What is going to happen even with their bank statements and stuff? Many people, they are pushed people. They buy houses. They take a large mortgage. They do not know what is going to happen if they have less than five years.

Another issue we receive as well is about the case that is going on at the moment about the British passport with the Polish children with the bond, but it was mentioned from the British Government that they were accidentally given. They have to review again and maybe there is a big chance. They should contact their Polish embassy.

On another issue, for the last seven years we have produced the books on how to live in the UK or in Great Britain to support Polish people. Actually, we would like to know how we can support them after. Where is there going to be any support for them? We know we are the largest number of European people in Great Britain. Thank you.

Public speaker: I am the Project Officer at the Law Centres Network and also a Romanian citizen in London. I want to touch on advice, hidden persons and integration.

I happen to co-ordinate a project on the integration of EU nationals in the UK funded by the EU and the project has been going on for over a year and a half now. The project primarily seeks to give advice and information to EU nationals on their EU rights. We brought this project in 2014 but obviously the project had a real focus on Brexit. The main issues used to be, say, employment rights and housing rights; now 67% of one-to-one sessions have been on permanent residence. This clearly shows that there is concern simply about existing, living and working in the UK, but not necessarily that employment rights or housing rights or discrimination has been going down. There is an erosion of rights, and the most urgent one seems to be permanent residence. This is my comment on advice, and demand has risen and partners have seen an increase in people looking for information and advice. There is still a gap in people understanding what their status is and how they can claim their rights and the uncertainty also is unhelpful.

Also, there is a capacity-building that is happening through the project to professionals who are decision-makers and working with EU nationals and that is also something that still needs additional funds. Yes, it is a complex area: the right to reside, CSI. There are so many really complex legislative changes and the decision-makers need the support to make those decisions, especially in a hostile context of people with habitual residence. There is the right to reside in complex cases. Yes, that is certainly something that is necessary.

In terms of integration, the project has this more grassroots approach which has worked really well with something called community champions, which enables people who understand very well their communities to become really good points of contact between organisations that provide advice and people who are in communities but are not typically the people who might go themselves and knock on the doors. They need someone who they trust and they might be those who are more isolated or speak poor English. This grassroots approach has really enabled the project to reach groups that are not typically served by mainstream services such as Roma, third-country nationals with new passports, people in low-skilled work and precarious work and all the other groups, and everyone has brilliantly described the barriers they face.

I echo all the comments that have been made, and I would like to add that reaching people needs to be rooted in an understanding of those people being reached and the approach is speaking about integration. You need to use grassroots organisations. We are now applying for further funding from the EU and other funders to continue this, to enable local migrant organisations - who are very well trusted by the by the members of their communities - to be better skilled at helping them rather than just building capacity in organisations that people might fear approaching, such as authorities or very specialist advice organisations. Those organisations that might not have the capacity to give them always the best advice are usually really useful in terms of reaching communities who need the advice most. Yes, those are my comments.

Public speaker: Emmy again from New Europeans. I just wanted to say how much it meant to EU citizens when the Mayor on 24 June made a very strong statement about London being behind EU citizens and there were some people giving flowers out to EU citizens. That meant a great deal but, since then, it has dried up. There have been statements but nothing has been done at all. I would suggest that the time has come to put some real effort and some really overt support to EU citizens in London.

Today has been a wonderful opportunity to have our voices heard and that, again, is a very good sign and it is a wonderful thing. However, look, we have all these organisations and we are trying to do our best but, quite frankly, there is too much to do and we are all running out of money. I am sure it is the same for everybody. We simply cannot meet the enormous needs that have been created.

It is important for London to stand out because the big cities were more pro-remain than anywhere else in the country except for Scotland, of course, and they would follow London's example. If we can work with some of the other cities, that would be even better, but we need to show how it is done and we need to show that we are not going to go into this business of fighting xenophobia. We need to be in the business of showing a positive strategy, acknowledging the EU citizens and how they are interwoven with these other EU citizens who happen to be British-born and with other people in this country and how we are making a patchwork together, which is what Britain is about and this is why we work well together. This is what we have to remind people of, that it is a positive thing, all this immigration and all this collaboration.

Then we need to provide this movement of collaboration and positivity with a platform in the media, with a space to be and with ways in which we can gather people into that positive movement because, quite frankly, that is what is going wrong in this country. Everybody is scared to have these affirmative values. People are hiding, not just EU citizens. Everybody is scared to speak up about it lest somebody who is xenophobic puts you down and that has to change. We must not be afraid. We have a lot of people here who want to do that. Let us find ways of doing that together.

Public speaker: Yes, just two points on cohesion and this is not just about EU nationals. I think we all saw last year the rise in hate crime following the referendum, and we at Migrant Voice held a number of emergency meetings around hate crime and some workshops following that throughout the year on how to support people in reporting hate crime and how we raise awareness around that. I know many other organisations that have that more as their core area of work did a lot more work around that area. In some areas, we found it particularly helpful to work with the police, particularly in the West Midlands. Even though there are issues and some people are concerned about reporting to the police, it is important to work with the police also in raising that concern and working with third-party reporting centres and grassroots and so on. There is a role there in terms of the Mayor's Office for Policing and Crime (MOPAC) and the MPS and so on and it would be nice to have more engagement around that. I am raising it because I think many organisations and many individuals are concerned that there is going to be more hate crime, particularly when there is an outcome and

when there finally is some kind of solution for EU nationals and when they have their rights, and there will be a backlash in terms of hate crime.

The other point is about rhetoric and has been made by my colleagues, Tamara [Flanagan] and Emmy [van Deurzen], about the need to speak in the media. Another role is for our political leaders to be seen to use rhetoric that is not scapegoating not just EU nationals but any migrants, and to really provide leadership in terms of how we talk about migration and the debate on migration and to make sure that we hear migrants' voices in that. Really, in terms of having a good media debate, it also comes from the top by making sure we have role models and good examples on how we address these issues.

Public speaker: My name is Nishan. I am European. I am Bulgarian. I live in London and I work for Brent Council. Until a couple of weeks ago I was managing the new and emerging communities programme of Brent Council, and needless to say I met hundreds and hundreds of Europeans and Eastern Europeans. I would like just to mention three communities at greater risk at the moment. We mentioned the Roma community, especially the Roma community from Poland, the Czech Republic, Romania and Bulgaria. For most of them - I would not say for all of them but for most of them - simply there is not a way back to their country because there is not a support network and they have been subject to discrimination for generations and generations.

The second community is the European and Eastern European lesbian, gay, bisexual and transgender (LGBT) community in London. I worked for the Terrence Higgins Trust for the past four years, the biggest sexual health charity in the UK. It supports the gay community. There are thousands and thousands of gay people from Eastern Europe who escaped practically to the UK. I will say - and I do not want to speak on behalf of them but, again, I met so many people working for the Terrence Higgins Trust - for them there is not simply a way back to their countries. We have to find some solution to this problem.

The third community - I would not say a "community" but, again, I met hundreds and hundreds of people - from Europe is Europeans who do not live in London or in the UK permanently but who own properties. They are homeowners. They have invested billions and billions of pounds. They are really very worried and concerned about the future. Thank you.

Sunder Katwala (Director, British Future): There is one point that has not come up yet about people's status and the certainty and so on, partly because it is all been about the principles and whether they will be secure but it is something that the Greater London Authority (GLA) and the London Mayor could look at: how permanent residence works at the moment if you want to be a citizen. You get permanent residence, you wait another year, you apply again with the second round with more costs and then you become a citizen. It is not the right solution for everybody and people might not want it and you have to be able to say otherwise. If people who have been here five years want to get citizenship and we are going to do two or three million cases, how difficult would it be to design this system so that it had an easy, cheap citizenship option while you are there, much more like the cost of a first UK passport than at the thousands of thousands of costs for citizenship when you go through the other process? That is a gettable thing.

Samia Badani (Head of Campaigns and Stakeholder Engagement, New Europeans): Can I just comment on that? I quite understand the point and, for the EU nationals that we are talking to, they may not want a fast-track to citizenship. The same issues we have just highlighted, I am thinking about all the migrant communities who are facing that.

I have worked with migrant communities in the context of CAB work for over 12 years and I can tell you how difficult it is to put an application in and go through the process and dealing with the Home Office. The

prospect of us as well to be added and have grievances on top of that, we need to look -- if we are going to look at fast-tracking which is not necessarily what 3 million EU nationals want, let us make it better for everyone. That is the message that we need to tell the Mayor as well if you have some form of influence over that.

Len Duvall AM (Chair): We are now in the last session, which is looking at the role of local authorities and the Mayor in particular. As we have touched on throughout these sessions, there is a bit of a call that is being asked of those in authority on a whole host of issues. Let us hear from Carolyn [Downs] about what is facing EU citizens in Brent, which I suspect is faced in the rest of the London boroughs and in London in general. What can local authorities do to support EU citizens? Also, what should the role of the Mayor be? What would you look for as a local government practitioner from the Mayor?

Carolyn Downs (Chief Executive, Brent Council): Thank you. It has been really fascinating. I have learnt a lot, which is really going to be helpful for me to take back into my work.

I thought it might be useful to put Brent in context. We are definitely one of the UK's most diverse - and therefore London's most diverse - boroughs, and 20% of the population, certainly of the electorate, are EU nationals. I was quite taken aback to look at which different countries are predominantly represented and I would say all countries obviously are, but the largest group is Romanian. It was Polish, but the Polish community, as the gentleman said, is reducing because the Polish economy is stronger at the moment. My second largest community, interestingly, is Portuguese, but a lot of that community comes from Brazil and they are Brazilians who hold a Portuguese passport and have come into the borough. We still do have a large Polish community and then an Italian community. It is quite interesting to think about the diversity of that community in itself.

As a result, the Council has done a lot of work with Nishan and other colleagues looking particularly at the Eastern European community and how we can provide more tailored services to the Eastern European community. We started that before Brexit. We genuinely thought that Brexit would not happen, but we did think that we had a need to work more strongly with the East European communities and - it did happen - even more so now. Some of the work that we are doing is particularly mapping the services that we can and do provide to all communities, but how we can tailor that more specifically to European communities and EU nationals, particularly in our case East European EU nationals, so that we can provide those people with the support and in some respects the love that we can give in terms of, "You are wanted, you are needed and we want you to stay".

As I say, some of the statistics are quite extraordinary. As I said, 20% of our community or 20% of all the people who work in the borough are EU nationals, and 10% of all our doctors are EU nationals. We have a high level of regeneration and construction in the borough, and 27% of the workforce in the construction industry in the borough are European nationals, and 10% of the Council's own workforce are EU nationals. That highlights the fact that if people were not here in 2019, then that would be catastrophic for our economy and for our communities and the care that many of those people give, and so it is been a really big issue for us. The Leader of the Council on day one was out there, high-profile, saying, "People are welcome here. You must stay here. We will do everything we can to try to protect your rights".

In terms of what the Mayor can do now and what local government can do now, we need to definitely be targeting services, I would say largely through the voluntary and community sector, and do capacity-building in European communities with volunteers and, as you just mentioned, community champions so that we have really strong capacity-building.

We need to be out there, and we have just organised a festival for Eastern European communities. We need to be celebrating the cultures of European communities in our boroughs and so we are giving that message constantly that these are communities that we welcome, that we celebrate and that we want to remain with us. There is a very strong community leadership role that we have. Likewise, on hate crime and discrimination, we cannot stop on that. It is not just in our borough European nationals who experience it; there are levels of Islamophobia as well, which we are constantly combating.

I was very shocked when a member of our staff who was working on the elections in the referendum, who is a Bulgarian, was terribly racially abused, "How dare you sit here working on this referendum?" I have to say, in a place like Brent, I was deeply shocked and so I agree with Jennette Arnold [OBE AM] and the fact that within our communities, while we celebrate diversity, there are some pockets of real racism that we need to combat very strongly. The GLA and the Mayor have been a strong voice around those issues and should continue to be so.

I wanted to look in terms of what does happen, and so he has to champion the rights of people to stay, but what is absolutely crystal clear is that even if the people are able to stay, the future economic needs of this country are not going to be met fully by our own British workforce. It is just not going to happen and so there is the issue of what we do post 2019.

I thought there were three particular issues that the Mayor should focus on, working with London boroughs. The first is around employment and skills and really pushing for the devolution of budgets and commissioning responsibilities around employment and skills and to bring that in. We have the sector skills bodies, which are national bodies, but the London economy, as we know, is different than the rest of the country's economy. We should not be commissioning skills in narrow parameters, "You are a healthcare professional so you are commissioned in that way", or, "You work in construction and that is different". We need to be looking at the places that we serve and we should be commissioning and providing skilled services around our growth strategies, our industrial strategies and the communities that we serve. The Mayor should be very strongly pushing the Government as part of a new settlement post Brexit that in a new settlement there is a stronger voice at the regional and indeed the local level than there currently is. That would be one area in which he should push for strong and full devolution.

A couple of people have mentioned EU structural funds and that is really important in terms of the communities that those support. Again, I am pretty sure that the Government has basically said, "We will protect the £8.4 billion nationally". That is quite a lot of money into London. It is currently administered on behalf of the EU, not the UK Government. It is administered through the GLA and the Mayor's Office and the London boroughs through London Councils. The Mayor needs to strongly push that that remains because Whitehall, no question, will push for those that money to go directly from them and so, on transport, it will be the Ministry of Transport that says, "We will administer that, we will do it nationally and we will decide what the local priorities and regional priorities are". The Mayor should very strongly push for that again so that the regional and the local is very much in charge of determining how those structural funds would be spent.

The final issue which was mentioned by my colleague on the left here is the whole issue of a new constitutional settlement. The Mayor should work with the elected mayors in the other combined authorities around England, and they should be working very closely together to make sure that they are pushing for a strong voice in any new legislative framework that is adopted post Brexit. Everybody talks about the centralisation of Europe, but actually the European Parliament is more respectful of local government than our Parliament. There is a constitutional right and there is a constitutional settlement, and so any new legislation that comes

out of the European Parliament has to be consulted on with local governments. When powers return to the UK, I am pretty sure that that right will go. That is the loss of power. The Government has said that it will protect all powers and there will be no losses of power.

The Mayor should really champion that issue with other mayors and make sure that when there is a change in legislation that impacts at the regional level, he and the other combined authority mayors are the first people to be consulted and the GLA is consulted and they should themselves consult with the boroughs.

One of my concerns is a greater centralisation of power post Brexit as opposed to what we have currently. The Mayor is, in my view, one of the most important politicians in the UK - the Mayor of London, regardless of who that is - and he should be pushing very strongly against the further centralisation of power. If he does that and he achieves that, then the communities that London represents, which hopefully will still have lots of people from Europe living here and the other diverse communities we have, will be better served by local decision-making rather than centralised and national decision-making. Thank you.

Jennette Arnold OBE AM: Carolyn [Downs], I could not agree with you more - I represent London on the Committee of Cities and Regions - and the point that you have made about our understanding and the European understanding about the power and the worth and the value of cities and regions. Really, the EU negotiators would be pushing back and will be with the Mayor on many of the points you have raised. It is just to say that, certainly from everything that the Mayor has said and done to date, on everything that you have said I think you will find a line of action there, but as ever it is the timeline that we are up against.

You talked about the work of your Leader, but of course there is another influential body in London and that is London Councils. I just wanted to know if you knew whether there is a London Councils piece that has been pulled together that would then match what the Mayor is doing, and what other cities and regions in the country are doing?

Carolyn Downs (Chief Executive, Brent Council): Yes. Let us remember that every local government - I used to be Chief Executive of the Local Government Association - and every representative body has to represent all its members, some of which in the case of London Councils will be pro-Brexit. We just need to be cognisant of that but, yes, of course London Councils is doing a piece of work at the moment looking at the impact of Brexit and what local governments should be striving for and what London local governments should be striving for.

My own view is that the strongest voice in all of those debates will always be the Mayor. He is the Mayor of London and it is really important that he works and that London Councils work with him, and I believe they do work well together, and that that continues so that they provide a very strong voice in relation to the negotiations. He is in a very unique position. He is in a stronger position than the mayor of my own city, which is Manchester. He is in a much stronger position as the Mayor of London.

Public speaker: I will just say in terms of the Mayor's contribution post-Brexit to EEA citizens, an important point was touched on previously as well about streamlining and making it easier regarding right of residence. For example, one of the things that the Government now wants to do is to say those famous five years of residency that there has to be and that, if there is a break of over 91 days when someone was job-seeking, these people are going to have to show not only that they were receiving the Jobseekers Allowance (JSA), which previously used to be enough for people to show that they were job-seeking, but to go back and say that they were looking for work actively over that period of time. That creates all sorts of problems for people who did not know that they would be required to provide that when they were job-seeking at a time. Of

course, as Sunder [Katwala] said before, it is in everyone's interests that all processes are streamlined and if the Mayor can put some pressure in that respect, it would be a very good thing.

Also, in terms of cost, at one point EEA applications did not have any cost attached to them. That is no longer the case and post Brexit, whenever that deadline is, the fees are likely to be hiked up. We have seen many fees for immigration applications being hiked up over the years. It is going to be much harder for people from disadvantaged communities to be able to regularise their status. The UK is in a different position from many other EEA countries where the application is very low and where the application is very streamlined. Perhaps the Mayor should put some pressure into the Government to make that a reality for EEA nationals who are here.

Public speaker: Just quickly on the Mayor's role, I think I am right in saying that EEA nationals voted for the Mayor in the mayoral election and so part of his constituency is EEA nationals. If Brexit is going to go ahead, which it looks like it is as the process has begun, the Mayor should push for greater transparency from the Government in providing information on what is going on, as well as pushing for the Government to involve the regional local governments and that includes the devolved institutions of which London is a part with Scotland, Wales and Northern Ireland. Through that, the Mayor of London can represent broadly the people of London and hopefully you can have a representative Brexit rather than an ideological one. Thank you.

Len Duvall AM (Chair): A very good point.

Public speaker: You might think I am joking but I am not: the very best solution to all of this is very simple, which is no Brexit, because the moment we have no Brexit all of this goes away. I would like to think that the Mayor takes that seriously and stands up, London having voted to remain, for the possibility of the "Republic of London" staying in the EU and, failing that, fighting on our behalf, going to the EU and asking for joint funding between the EU and London to do something really spectacular on behalf of EU citizens. That would be great. Thank you.

Public speaker: Given the position of EU citizens in London and the pressure there, as we have heard all afternoon, is there a taskforce or one person at least within City Hall who is looking into that for the next few years or a group of persons, which could be a reference point?

Len Duvall AM (Chair): I have the point. Let me begin. Someone talked about being suspended in uncertainty, I was very much taken by that phrase. I cannot do anything about that, but what I can do on behalf of my colleagues and the majority of my colleagues in the London Assembly is to make sure that your voice is continually heard throughout the coming months and years, to be honest, because this could take some longer time than people think in terms of where we are going. I want to give that commitment.

I do want to do justice to what you have told us and what we have heard today, which is important. We need advice to our school professionals and school governors about their responsibilities for young people, and what they may be facing if they are European. We do it for other groupings and we should be doing that now if we have not already done so.

I have heard about the advice issue generally but there are specific issues around employment, around mental health, around some of the issues of general rights and the myths that are developing that need to be righted. We have not left the EU yet. We are all EU citizens. We need to remind of where people are in their circumstances.

I am very much taken by the data sharing, but also taken by the positive way of using data as well. There is a non-positive way, but the barriers of stopping people accessing services would cause me great concern but it is real and we have to try to work hard to make sure that that does not happen.

Speaking up and finding the voice was described as a 'scandal'. I cannot disagree with that word. The circumstances that people find themselves in not of their own individual actions but of took place and then without thinking through what the consequences are and then being involved in or watching negotiations take place which you and I really do not have much influence over but we are battling for our influence. We will work together on that to try to make sure that we can try to influence those who do it.

We will do some more work around the working person's issues and this design issue. Look, if we wait for the Government to do this, we need to help, hold hands and design systems. If the existing immigration system is chaotic and not working, what hope do we have of adding to it? Certainly, we ought to think about the people who are involved here at the sharp end - i.e. next it will be the EU citizens - and what we can do to minimize those issues and try to help that. We can talk about that further - we need to talk further with my colleagues.

Appropriate resources and different models of delivery in the interim; I heard that very strongly and we have to look at some of those issues around that advice and some of those issues. I take it about online not being good enough, but also about who we are talking to in terms of the hard groups.

I take from this also that there is a bad side to the referendum and a good side to the referendum: I suspect there are people talking to each other now in networks that probably never spoke to each other and never thought that they had anything in common in terms of their own ways. By that we are stronger, albeit it is very challenging and we are the David to the Goliath of whatever that is in its many forms and shapes. I would take that point.

In terms of the funding issues, we have been ahead of this. On the structural funds, we raised it at one of our very first meetings when we had reports about structural funds, trying to get the Mayor - and we are still lobbying for this - to start thinking what a London structural fund would look like, what they are and whether we should start now talking to the Government about that. If we leave, some of that money needs to be put to that.

Equally, we have a real issue about European Social Fund (ESF) funding because that is the principal funder of our voluntary sector and support groups. The gentleman referred to help to disabled groups, with ESF there is a strong component around the health community sector and voluntary sector within London. We need to start that. At our next meeting in October [2017] of this panel, we are trying to get [Lord] Michael Heseltine along. He is a former Cabinet Minister and former Deputy Prime Minister who has been involved in creating grant regimes. He was on the 'remain' side of the debates but we think it would be quite useful to bring him in to talk about what funding streams should be like post Brexit if that is where we are and start working some of those issues up, so we are starting to talk about those and thinking about how we can do it. What takes place at a local level? We really have to do some more thinking about that.

On the hate crime issue, there are a couple of things I am going to do now and so, when we talk about the next steps from this meeting, these are only mine as the Chair but I know will be endorsed by my colleagues because I know their thinking and style on this, but there is going to be a further conversation in the London Assembly and certainly we will pick up on the last points around the role of the Mayor and where he is.

What is going to happen here? We have a new way of working. We are a scrutiny body and I should tell you that we also work with our colleagues involved in the scrutiny of the executive of the Scottish Parliament and the Welsh Assembly and the Northern Ireland Assembly. It is slightly different in the Northern Ireland Assembly because of the way the politics is and so there it is not in operation, but the civil service is still operating and we are sharing and working with them with our desired hope that they will come back into being once they resolve some of their very important issues and so they become a devolved body. We will share this work with them. We will spread this work out far and wide. We will work with them and we know they are in contact with their own executives because they want to influence their executives talking to the national Government about these issues.

We will be writing a letter to the Mayor. It will be a very long letter to the Mayor because I want to try to do justice to what we have heard today but setting it out in a way that he can take some of the points, hopefully, he and his officials and his Deputy Mayor [for Social Integration, Social Mobility and Community Engagement] Matthew Ryder QC has been spoken about as quite important. It is very early stages of this work that we are doing in the GLA and we wish it well but this has to be an important aspect and part of that work at the early stages. We will see if we can influence that.

On hate crime, I very much believe you: unless it is reported, we are not going to register it. I suspect there has been a lot of hate crime, albeit I do believe the majority of Londoners are tolerant and welcoming, but there has been some and I do not think we are getting it reported. It is because people think this back home would not be reported or taken seriously in the way that it should. I want to immediately write to the Mayor alerting him to this and the Deputy Mayor [for Policing and Crime] and also to Cressida Dick [QPM, Commissioner of Police of the Metropolis] alerting her to this issue and asking what steps are the police going to do through their networks to get it out about what the position of us around hate crime is and encouraging people - and I urge you to use your networks - to report issues of a crime. If you are uncertain about what you think hate crime is, we can provide you with that information and we should do it with the utmost sense of urgency.

We want to write to London Councils and I very much share your sentiments of where you are. I understand the nature. London Councils is the body that brings all local government together from the boroughs. It represents all parties. Some would have wanted to say leave Europe; some would have wanted to remain. It is quite important that we get that debate started at London Councils and try to cascade it down to a local level because as we know - and I do not want to make a political point but lots of Conservatives wanted to remain. We need to reach out to some of those in some of those areas where it may well be not the view of the council. I would expect there is only a few but we need to do that course of action almost like very soon. I do not want to wait until September. We are still working in August because we are still catching up on the backlog. I really would like these to go out as a matter of urgency over in the coming weeks. I know that is a tough timetable for officials but that is where the panel would like to go on the immediate issues we are going to do.

Then we should look at opportunities of working together on some of these issues again because there may well be some specific issues. It may not be us as Assembly Members but there may well be bringing of people together. We have worked and we certainly have been working, as I said before, with employers' groups. I am conscious about that unregulated market. It is a really tough one because it is a zone where, if you complain, you get in trouble. You lose your job. You lose access to the small monies that you get. Equally, there are rights that exist and, if we can encourage people to do that, we might expose some of those people who are taking this advantage of people and their circumstances. We will think sensitively about it but we do need to do. It is a bit like reaching out into the "hard-to-reach" communities.

The other action that we are going to do is to go away and talk to some of my colleagues including not just members of this panel but trying to engage the other 25 Members of the Assembly, those who want to engage on this topic, and there is a majority. I want to assure you of that. There is a majority and it is quite a healthy majority who want to, who are maybe not touched, who cannot experience what you have experienced and all the feelings you have experienced, but do understand that actually it is not right in terms of where we are. We are on the right side of the debate and that is the important thing for me in terms of taking this issue forward.

Can I thank you all for the way that you have spoken this afternoon. If there's anybody who wants to follow up and engage and thinks we have not quite picked up on a point, then please come back to come back to us. You have our contacts. Certainly, thank you to the New Europeans grouping because you play a key part in that.

I want to thank our staff particularly Grace [Pollard, Project Officer, GLA] here, who co-ordinated some of the work from outside. I want to thank her for her work in putting this together this afternoon. Certainly, it has been a very important meeting for us here at the GLA and I need to make sure that it gets out far and wide. Thank you very much.